IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MRS JUSTICE T.MEENA KUMARI

WRIT PETITION NO : 25264 of 1995

Between:

N. Sreemannarayana S/o. Ramaswamy
Veerasbhadrapuram, Addateegala Mandal, E.G.Dist.

..... PETITIONER

AND

1 Collector, Kakinada, E.G.District.
2 Deputy Collector, Tribal Welfare,
Rampachodavaram, E.G.District.
3 Mandal Revenue Officer,
Addateegela, E.G.Dist.
4 Rasika Pakeeru (dismissed) S/o. Bullodu
Chinapakalu, Addateegela Mandal, E.G.District.

(Case against R4 is dismissed for default as per court order dt 7/2/03)

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to call for the records relating to CMA. No. 27/91 on the file of the 1st respondent, confirming the orders of the 2nd respondent in LTRP.No. 60/90 and issue WRIT OF CERTIORARI or any other appropriate WRIT, ORDER or DIRECTION, quashing the order of the 1st respondent made in CMA. No. 27/91 confirming the orders of the 2nd respondent made in LTRP.No. 60/90

Counsel for the Petitioner: MR.M.LAKSHMANA SARMA

Counsel for the Respondents 1 to 3: GP FOR REVENUE

The Court made the following :

***ORAL ORDER*:**

Petitioner states in his petition that he is the owner of the land to an extent of Ac.3.14 cents and Ac.0.83 cents in s. No. 21/4 totaling to Ac.3.97 cents of Gondolu village, Addateegala Mandal in East Godavari District and he has been in possession and enjoyment of the said land and it devolved upon him through his father who purchased the same on 22.5.1950.

It is his grievance that the respondents 3 and 4 filed a LTRP No. 60/90 against him before the 2nd respondent for his eviction from the said land on the ground that there was a prohibited transfer and ordered for his eviction. On appeal, the 1st respondent also confirmed the orders of the 2nd respondent.

However, today, when the matter is taken up for hearing, learned counsel for the petitioner seeks leave of this Court to withdraw the writ petition since an alternative remedy is available to the petitioner to represent the matter before the Secretary for Tribal Welfare Department as per Section 6 of The A.P Scheduled Areas Land Transfer Rules 1/59.

Therefore, having regard to the above submission, without going into

the merits of the case, the writ petition is dismissed, as withdrawn, giving liberty to the petitioner to avail the alternative remedy available to him, as per Rules. No costs.

Kvsn 09-12-2004

To

1 Collector, Kakinada, E.G.District.
2 Deputy Collector, Tribal Welfare,
Rampachodavaram, E.G.District.
3 Mandal Revenue Officer,
Addateegela, E.G.Dist.
4 Two CCs to G.P. for Revenue, High Court Buildings, Hyderabad.

5 Two CD copies.